



House of Representatives

File No. 771

General Assembly

February Session, 2016

(Reprint of File Nos. 339 and 686)

Substitute House Bill No. 5306
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
April 30, 2016

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE OFFICE OF EARLY CHILDHOOD.

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Subdivision (1) of subsection (b) of section 19a-80 of the
2 2016 supplement to the general statutes is repealed and the following
3 is substituted in lieu thereof (*Effective October 1, 2016*):

4 (b) (1) Upon receipt of an application for a license, the commissioner
5 shall issue such license if, upon inspection and investigation, said
6 commissioner finds that the applicant, the facilities and the program
7 meet the health, educational and social needs of children likely to
8 attend the child care center or group child care home and comply with
9 requirements established by regulations adopted under this section
10 and sections 19a-77 to 19a-79a, inclusive, as amended by this act, and
11 sections 19a-82 to 19a-87a, inclusive. The commissioner shall offer an
12 expedited application review process for an application submitted by a
13 municipal agency or department. A currently licensed person or entity,
14 as described in subsection (a) of this section, seeking a change of

15 operator, ownership or location shall file a new license application,
16 except such person or entity may request the commissioner to waive
17 the requirement that a new license application be filed if such person
18 or entity submits such request prior to the change of operator,
19 ownership or location. The commissioner [shall have discretion to
20 determine whether a change of operator, ownership or location request
21 from a currently licensed person or entity, as described in subsection
22 (a) of this section, shall require the filing of a new license application
23 from such person or entity] may grant or deny such request. Each
24 license shall be for a term of four years, shall be nontransferable, and
25 may be renewed upon receipt by the commissioner of a renewal
26 application and accompanying licensure fee. The commissioner may
27 suspend or revoke such license after notice and an opportunity for a
28 hearing as provided in section 19a-84 for violation of the regulations
29 adopted under this section and sections 19a-77 to 19a-79a, inclusive, as
30 amended by this act, and sections 19a-82 to 19a-87a, inclusive. In the
31 case of an application for renewal of a license that has expired, the
32 commissioner may renew such expired license within thirty days of
33 the date of such expiration upon receipt of a renewal application and
34 accompanying licensure fee.

35 Sec. 2. Section 19a-77 of the 2016 supplement to the general statutes
36 is repealed and the following is substituted in lieu thereof (*Effective July*
37 *1, 2016*):

38 (a) As used in this section and sections 19a-77a to 19a-80, inclusive,
39 as amended by this act, and sections 19a-82 to 19a-87a, inclusive, "child
40 care services" includes:

41 (1) A "child care center" which offers or provides a program of
42 supplementary care to more than twelve related or unrelated children
43 outside their own homes on a regular basis;

44 (2) A "group child care home" which offers or provides a program of
45 supplementary care (A) to not less than seven or more than twelve
46 related or unrelated children on a regular basis, or (B) that meets the

47 definition of a family child care home except that it operates in a
48 facility other than a private family home;

49 (3) A "family child care home" which consists of a private family
50 home caring for not more than six children, including the provider's
51 own children not in school full time, where the children are cared for
52 not less than three or more than twelve hours during a twenty-four-
53 hour period and where care is given on a regularly recurring basis
54 except that care may be provided in excess of twelve hours but not
55 more than seventy-two consecutive hours to accommodate a need for
56 extended care or intermittent short-term overnight care. During the
57 regular school year, a maximum of three additional children who are
58 in school full time, including the provider's own children, shall be
59 permitted, except that if the provider has more than three children
60 who are in school full time, all of the provider's children shall be
61 permitted;

62 (4) "Night care" means the care provided for one or more hours
63 between the hours of 10:00 p.m. and 5:00 a.m.;

64 (5) "Year-round" program means a program open at least fifty
65 weeks per year.

66 (b) For licensing requirement purposes, child care services shall not
67 include such services which are:

68 (1) (A) Administered by a public school system, or (B) administered
69 by a municipal agency or department;

70 (2) Administered by a private school which is in compliance with
71 section 10-188 and is approved by the State Board of Education or is
72 accredited by an accrediting agency recognized by the State Board of
73 Education;

74 (3) Classes in music, dance, drama and art that are no longer than
75 two hours in length; classes that teach a single skill that are no longer
76 than two hours in length; library programs that are no longer than two

77 hours in length; scouting; programs that offer exclusively sports
78 activities; rehearsals; academic tutoring programs; or programs
79 exclusively for children thirteen years of age or older;

80 (4) Informal arrangements among neighbors and formal or informal
81 arrangements among relatives in their own homes, provided the
82 relative is limited to any of the following degrees of kinship by blood
83 or marriage to the child being cared for or to the child's parent: Child,
84 grandchild, sibling, niece, nephew, aunt, uncle or child of one's aunt or
85 uncle;

86 (5) [Drop-in supplementary] Supplementary child care operations
87 for educational or recreational purposes and the child receives such
88 care infrequently where the parents are on the premises;

89 (6) [Drop-in supplementary] Supplementary child care operations in
90 retail establishments where the parents remain in the same store as the
91 child for retail shopping, provided the drop-in supplementary child-
92 care operation does not charge a fee and does not refer to itself as a
93 child care center;

94 (7) [Drop-in programs administered] Administered by a nationally
95 chartered boys' and girls' club that are exclusively for school-age
96 children;

97 (8) Religious educational activities administered by a religious
98 institution exclusively for children whose parents or legal guardians
99 are members of such religious institution;

100 (9) Administered by Solar Youth, Inc., a New Haven-based
101 nonprofit youth development and environmental education
102 organization; [, provided Solar Youth, Inc. informs the parents and
103 legal guardians of any children enrolled in its programs that such
104 programs are not licensed by the Office of Early Childhood to provide
105 child care services;]

106 (10) Programs administered by organizations under contract with

107 the Department of Social Services pursuant to section 17b-851a that
108 promote the reduction of teenage pregnancy through the provision of
109 services to persons who are ten to nineteen years of age, inclusive; or

110 (11) Administered by the Cardinal Shehan Center, a Bridgeport-
111 based nonprofit organization that is exclusively for school-age
112 children, [provided the Cardinal Shehan Center informs the parents
113 and legal guardians of any children enrolled in its programs that such
114 programs are not licensed by the Office of Early Childhood to provide
115 child care services.]

116 (c) Any entity or organization that provides services or a program
117 described in subsection (b) of this section shall inform the parents and
118 legal guardians of any children receiving such services or enrolled in
119 such programs that such entity or organization is not licensed by the
120 Office of Early Childhood to provide such services or offer such
121 program.

122 [(c)] (d) No registrant or licensee of any child care services as
123 defined in subsection (a) of this section shall be issued an additional
124 registration or license to provide any such services at the same facility.

125 [(d)] (e) When a licensee has vacated premises approved by the
126 office for the provision of child care services and the landlord of such
127 licensee establishes to the satisfaction of the office that such licensee
128 has no legal right or interest to such approved premises, the office may
129 make a determination with respect to an application for a new license
130 for the provision of child care services at such premises.

131 Sec. 3. Subdivision (1) of section 19a-420 of the general statutes is
132 repealed and the following is substituted in lieu thereof (*Effective*
133 *October 1, 2016*):

134 (1) "Youth camp" means any regularly scheduled program or
135 organized group activity advertised as a camp or operated only during
136 school vacations or on weekends by a person, partnership,
137 corporation, association, the state or a municipal agency for

138 recreational or educational purposes and accommodating for profit or
139 under philanthropic or charitable auspices five or more children, who
140 are at least three years of age and under sixteen years of age, who are
141 (A) not bona fide personal guests in the private home of an individual,
142 and (B) living apart from their relatives, parents or legal guardian, for
143 a period of three days or more per week or portions of three or more
144 days per week, provided any such relative, parent or guardian who is
145 an employee of such camp shall not be considered to be in the position
146 of loco parentis to such employee's child for the purposes of this
147 chapter, but does not include (i) classroom-based summer instructional
148 programs operated by any person, provided no activities that may
149 pose a health risk or hazard to participating children are conducted at
150 such programs, (ii) public schools, or private schools in compliance
151 with section 10-188 and approved by the State Board of Education or
152 accredited by an accrediting agency recognized by the State Board of
153 Education, which operate a summer educational program, (iii) licensed
154 [day] child care centers, or (iv) drop-in programs for children who are
155 at least six years of age administered by a nationally chartered boys'
156 and girls' club;

157 Sec. 4. Subsection (d) of section 10-500 of the 2016 supplement to the
158 general statutes is repealed and the following is substituted in lieu
159 thereof (*Effective from passage*):

160 (d) The Office of Early Childhood shall constitute a successor
161 department, in accordance with the provisions of sections 4-38d, 4-38e
162 and 4-39, to (1) the Department of Education with respect to sections 8-
163 210, 10-16n, 10-16p to 10-16r, inclusive, as amended by this act, 10-16u,
164 10-16w, 10-16aa, 17b-749a, 17b-749c and 17b-749g to 17b-749i,
165 inclusive; (2) the Department of Social Services (A) with respect to
166 sections 17b-12, 17b-705a, 17b-730, 17b-733, [to 17b-736, inclusive,] 17b-
167 738, 17b-749, 17b-749d to 17b-749f, inclusive, 17b-749j, 17b-749k, 17b-
168 750 to 17b-751a, inclusive, and 17b-751d, and (B) for the purpose of
169 administering the child care development block grant pursuant to the
170 Child Care and Development Block Grant Act of 1990; [and] (3) the
171 Department of Public Health (A) with respect to sections 10a-194c, 12-

172 634, 17a-28, 17a-101 and 19a-80f, (B) for the purpose of regulating child
173 care services pursuant to sections 19a-77, as amended by this act, 19a-
174 79, 19a-80, as amended by this act, 19a-82 and 19a-84 to 19a-87e,
175 inclusive, (C) for the purpose of the conduct of regulation of youth
176 camps, pursuant to sections 19a-420 to 19a-434, inclusive, as amended
177 by this act, and (D) for the purpose of administering the Maternal,
178 Infant, and Early Childhood Home Visiting Program authorized under
179 the Patient Protection and Affordable Care Act of 2010, P.L. 111-148;
180 and (4) the Department of Developmental Services with respect to
181 sections 17a-248, 17a-248b to 17a-248h, inclusive, 38a-490a and 38a-
182 516a.

183 Sec. 5. Subsections (a) and (b) of section 17a-22gg of the 2016
184 supplement to the general statutes are repealed and the following is
185 substituted in lieu thereof (*Effective from passage*):

186 (a) There is established a Home Visitation Program Consortium that
187 shall advise the Office of Early Childhood, Department of Children
188 and Families, Department of Developmental Services and the
189 Department of Education regarding the implementation of the
190 recommendations for the coordination of home visitation programs
191 within the early childhood system provided to the joint standing
192 committees of the General Assembly having cognizance of matters
193 relating to appropriations, human services, education and children
194 pursuant to section 17a-22dd.

195 (b) The consortium shall consist of the following members:

196 (1) Four representing families who are receiving services or have
197 received services within the last five years from one or more home
198 visitation programs in the state;

199 (2) Not more than [eight] ten representing home visitation programs
200 in the state, at least four of whom shall utilize different home visitation
201 models;

202 (3) Two representing private advocacy organizations that provide

- 203 services for children and families in the state;
- 204 (4) One representing the United Way of Connecticut 2-1-1 Infoline
205 program;
- 206 (5) One representing the birth-to-three program established under
207 section 17a-248b;
- 208 (6) The director of the Connecticut Head Start State Collaboration
209 Office, or the director's designee;
- 210 (7) The Commissioner of Early Childhood, or the commissioner's
211 designee;
- 212 (8) The Commissioner of Children and Families, or the
213 commissioner's designee;
- 214 (9) The Commissioner of Developmental Services, or the
215 commissioner's designee;
- 216 (10) The Commissioner of Education, or the commissioner's
217 designee;
- 218 (11) The Commissioner of Mental Health and Addiction Services, or
219 the commissioner's designee;
- 220 (12) The Commissioner of Public Health, or the commissioner's
221 designee;
- 222 (13) The Child Advocate, or the Child Advocate's designee; [and]
- 223 (14) The executive director of the Commission on Children, or the
224 executive director's designee; and
- 225 (15) The director of the Maternal, Infant Early Childhood Home
226 Visiting program in the state, or the director's designee.
- 227 Sec. 6. Subsection (a) of section 10-16r of the 2016 supplement to the
228 general statutes is repealed and the following is substituted in lieu

229 thereof (*Effective from passage*):

230 (a) A town seeking to apply for a grant pursuant to subsection (c) of
231 section 10-16p or section 10-16u shall convene a local school readiness
232 council or shall establish a regional school readiness council pursuant
233 to subsection (c) of this section. Any other town may convene such a
234 council. The chief elected official of the town or, in the case of a
235 regional school district, the chief elected officials of the towns in the
236 school district and the superintendent of schools for the school district
237 shall jointly appoint and convene such council. Each school readiness
238 council shall be composed of: (1) The chief elected official, or the
239 official's designee; (2) the superintendent of schools, or a management
240 level staff person as the superintendent's designee; (3) parents; (4)
241 representatives from local programs such as Head Start, family
242 resource centers, nonprofit and for-profit child care centers, group
243 child care homes, prekindergarten and nursery schools, and family
244 child care home providers; (5) a representative from a health care
245 provider in the community; (6) the local homeless education liaison
246 designated by the local or regional board of education for the school
247 district, pursuant to Subtitle B of Title VII of the McKinney-Vento
248 Homeless Assistance Act, 42 USC 11431 et seq., as amended from time
249 to time; and [(6)] (7) other representatives from the community who
250 provide services to children. The chief elected official shall designate
251 the chairperson of the school readiness council.

252 Sec. 7. (NEW) (*Effective from passage*) The Commissioner of Early
253 Childhood may enter into stipulations, agreements, memoranda of
254 understanding, interim consent orders or consent orders relating to
255 licensing matters under chapters 368a and 368r of the general statutes
256 with:

257 (1) Any person, group of persons, association, organization,
258 corporation, institution or agency, public or private, (A) maintaining (i)
259 a licensed child care center or group child care home, pursuant to
260 section 19a-80 of the general statutes, as amended by this act, or (ii) a
261 licensed family child care home, pursuant to section 19a-87b of the

262 general statutes, or (B) applying for a license for (i) a child care center
263 or group home, pursuant to section 19a-80 of the general statutes, as
264 amended by this act, or (ii) a family child care home, pursuant to
265 section 19a-87b of the general statutes;

266 (2) Any person who (A) establishes, conducts or maintains a
267 licensed youth camp, pursuant to section 19a-421 of the general
268 statutes, or (B) is applying for a license for a youth camp, pursuant to
269 section 19a-421 of the general statutes;

270 (3) Any person acting or seeking to act as an assistant or substitute
271 staff member in a family child care home, pursuant to subsection (b) of
272 section 19a-87b of the general statutes;

273 (4) Any person or entity who is the subject of an investigation or
274 disciplinary action pursuant to section 19a-80f, 19a-84, 19a-87a, 19a-
275 87e, 19a-423 or 19a-429 of the general statutes while holding a license
276 issued by the Office of Early Childhood; or

277 (5) Any party in a contested case in which the office is a party.

278 Sec. 8. Subsection (b) of section 51-164n of the 2016 supplement to
279 the general statutes is repealed and the following is substituted in lieu
280 thereof (*Effective from passage*):

281 (b) Notwithstanding any provision of the general statutes, any
282 person who is alleged to have committed (1) a violation under the
283 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-
284 283, 7-325, 7-393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-
285 198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292, 12-314b or 12-326g,
286 subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section
287 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-
288 113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-
289 143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-
290 90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or
291 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414,
292 subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e)

293 of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49,
294 14-50a or 14-58, subsection (b) of section 14-66, section 14-66a, 14-66b
295 or 14-67a, subsection (g) of section 14-80, subsection (f) of section 14-
296 80h, section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152,
297 14-153 or 14-163b, a first violation as specified in subsection (f) of
298 section 14-164i, section 14-219 as specified in subsection (e) of said
299 section, subdivision (1) of section 14-223a, section 14-240, 14-249, 14-
300 250 or 14-253a, subsection (a) of section 14-261a, section 14-262, 14-264,
301 14-267a, 14-269, 14-270, 14-275a, 14-278 or 14-279, subsection (e) or (h)
302 of section 14-283, section 14-291, 14-293b, 14-296aa, 14-319, 14-320, 14-
303 321, 14-325a, 14-326, 14-330 or 14-332a, subdivision (1), (2) or (3) of
304 section 14-386a, section 15-25 or 15-33, subdivision (1) of section 15-97,
305 subsection (a) of section 15-115, section 16-44, 16-256e, 16a-15 or 16a-22,
306 subsection (a) or (b) of section 16a-22h, section 17a-24, 17a-145, 17a-149,
307 17a-152, 17a-465, 17a-642, 17b-124, 17b-131, 17b-137, [or 17b-734,
308 subsection (b) of section 17b-736, section] 19a-30, 19a-33, 19a-39 or 19a-
309 87, subsection (b) of section 19a-87a, section 19a-91, 19a-105, 19a-107,
310 19a-113, 19a-215, 19a-219, 19a-222, 19a-224, 19a-286, 19a-287, 19a-297,
311 19a-301, 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-340, 19a-425,
312 19a-502, 20-7a, 20-14, 20-158, 20-231, 20-249, 20-257, 20-265, 20-324e, 20-
313 341l, 20-366, 20-597, 20-608, 20-610, 21-1, 21-30, 21-38, 21-39, 21-43, 21-
314 47, 21-48, 21-63 or 21-76a, subdivision (1) of section 21a-19, section 21a-
315 21, subdivision (1) of subsection (b) of section 21a-25, section 21a-26 or
316 21a-30, subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63
317 or 21a-77, subsection (b) of section 21a-79, section 21a-85 or 21a-154,
318 subdivision (1) of subsection (a) of section 21a-159, subsection (a) of
319 section 21a-279a, section 22-12b, 22-13, 22-14, 22-15, 22-16, 22-26g, 22-
320 29, 22-34, 22-35, 22-36, 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-39d, 22-
321 39e, 22-49, 22-54, subsection (d) of section 22-84, 22-89, 22-90, 22-98, 22-
322 99, 22-100, 22-111o, 22-167, 22-279, 22-280a, 22-318a, 22-320h, 22-324a,
323 22-326 or 22-342, subsection (b), (e) or (f) of section 22-344, section 22-
324 359, 22-366, 22-391, 22-413, 22-414, 22-415, 22a-66a or 22a-246,
325 subsection (a) of section 22a-250, subsection (e) of section 22a-256h,
326 section 22a-363 or 22a-381d, subsections (c) and (d) of section 22a-381e,
327 section 22a-449, 22a-461, 23-37, 23-38, 23-46 or 23-61b, subsection (a) or

328 subdivision (1) of subsection (c) of section 23-65, section 25-37 or 25-40,
329 subsection (a) of section 25-43, section 25-43d, 25-135, 26-16, 26-18, 26-
330 19, 26-21, 26-31, 26-31c, 26-40, 26-40a, 26-42, 26-49, 26-54, 26-55, 26-56,
331 26-58 or 26-59, subdivision (1) of subsection (d) of section 26-61, section
332 26-64, subdivision (1) of section 26-76, section 26-79, 26-87, 26-89, 26-91,
333 26-94, 26-97, 26-98, 26-104, 26-105, 26-107, 26-117, 26-128, 26-131, 26-
334 132, 26-138 or 26-141, subdivision (2) of subsection (j) of section 26-
335 142a, subdivision (1) of subsection (b) of section 26-157b, subdivision
336 (1) of section 26-186, section 26-207, 26-215, 26-217 or 26-224a,
337 subdivision (1) of section 26-226, section 26-227, 26-230, 26-232, 26-244,
338 26-257a, 26-260, 26-276, 26-284, 26-285, 26-286, 26-288, 26-294, 28-13, 29-
339 6a, 29-25, 29-109, 29-143o, 29-143z or 29-156a, subsection (b), (d), (e) or
340 (g) of section 29-161q, section 29-161y or 29-161z, subdivision (1) of
341 section 29-198, section 29-210, 29-243 or 29-277, subsection (c) of section
342 29-291c, section 29-316, 29-318, 29-381, 30-48a, 30-86a, 31-3, 31-10, 31-
343 11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-32, 31-
344 36, 31-38, 31-40, 31-44, 31-47, 31-48, 31-51, 31-52, 31-52a or 31-54,
345 subsection (a) or (c) of section 31-69, section 31-70, 31-74, 31-75, 31-76,
346 31-76a, 31-89b or 31-134, subsection (i) of section 31-273, section 31-288,
347 subdivision (1) of section 35-20, section 36a-787, 42-230, 45a-283, 45a-
348 450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-54,
349 section 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-8a, 49-16, 53-
350 133, 53-199, 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-302a, 53-303e,
351 53-311a, 53-321, 53-322, 53-323, 53-331 or 53-344, subsection (c) of
352 section 53-344b, or section 53-450, or (2) a violation under the
353 provisions of chapter 268, or (3) a violation of any regulation adopted
354 in accordance with the provisions of section 12-484, 12-487 or 13b-410,
355 or (4) a violation of any ordinance, regulation or bylaw of any town,
356 city or borough, except violations of building codes and the health
357 code, for which the penalty exceeds ninety dollars but does not exceed
358 two hundred fifty dollars, unless such town, city or borough has
359 established a payment and hearing procedure for such violation
360 pursuant to section 7-152c, shall follow the procedures set forth in this
361 section.

362 Sec. 9. Sections 17b-734 to 17b-736, inclusive, of the general statutes
 363 are repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	19a-80(b)(1)
Sec. 2	<i>July 1, 2016</i>	19a-77
Sec. 3	<i>October 1, 2016</i>	19a-420(1)
Sec. 4	<i>from passage</i>	10-500(d)
Sec. 5	<i>from passage</i>	17a-22gg(a) and (b)
Sec. 6	<i>from passage</i>	10-16r(a)
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>from passage</i>	51-164n(b)
Sec. 9	<i>from passage</i>	Repealer section

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 17 \$	FY 18 \$
Office of Early Childhood	GF - Savings	Potential	Potential

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill could result in a savings to the Office of Early Childhood (OEC) to the extent it prevents the need for a hearing related to licensing matters. The estimated cost per hearing is approximately \$5,000.

The bill makes other technical, clarifying, and conforming changes, which have no fiscal impact.

House "A" removes the provisions related to changing how funding for assistance with achieving accreditation by the National Association for the Education of Young Children (NAEYC) is distributed. This is not anticipated to result in an overall fiscal impact to the agency.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sHB 5306 (as amended by House "A")******AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE OFFICE OF EARLY CHILDHOOD.*****SUMMARY:**

This bill makes numerous changes to the laws affecting early childhood programs by doing the following:

1. permitting the Office of Early Childhood (OEC) to waive the requirement to submit a new license application for a child care center or group child care home in certain instances (§ 1);
2. extending to all license-exempt programs the requirement that they notify the parents or guardians of participating children that the program is not licensed by OEC (§ 2);
3. authorizing the commissioner to enter into enforcement agreements for child care and youth camp services licensing enforcement matters (§ 7); and
4. making other minor, technical, and conforming changes.

*House Amendment "A" eliminates a provision requiring OEC to determine how to assist child-care providers' accreditation efforts instead of requiring it, as under current law, to create five regional accreditation projects to do so.

EFFECTIVE DATE: July 1, 2016 for the sections on OEC licensing exemptions; October 1, 2016 for the sections on authority to waive license requirements and conforming and technical changes; and upon passage for all other sections.

§ 1 — AUTHORITY TO WAIVE LICENSE REQUIREMENTS IN CERTAIN SITUATIONS

Under current law, the OEC commissioner may determine whether the change of operator, ownership, or location of a licensed child care center or a group child care home requires the person or entity holding the license to file a new license application. Under the bill, any request that the commissioner waive the requirement to re-apply must come before the change of operator, ownership, or location. The bill specifies the commissioner may grant or deny the request to waive the requirement.

§ 2 — NOTICE REGARDING LICENSE-EXEMPT PROGRAMS

The bill extends to all license-exempt child care programs the requirement that they notify the parents or guardians of participating children that the program is not licensed by OEC. By law, such notification is required of Solar Youth Inc., of New Haven and Cardinal Shehan Center in Bridgeport, both license-exempt programs.

The bill extends the notification requirement to the following:

1. programs administered by public school systems or municipal agencies or departments;
2. programs administered by private schools which are (a) in compliance with state law regarding private school student attendance reporting and (b) State Board of Education (SBE) approved, or accredited by an SBE recognized accrediting agency;
3. (a) classes in music, dance, drama, and art that are less than two hours long; (b) classes that teach a single skill that are less than two hours long; (c) library programs that are less than two hours long; (d) scouting; (e) programs that offer exclusively sports activities; (f) rehearsals; (g) academic tutoring programs; or (h) programs exclusively for children age 13 or older;
4. informal arrangements among neighbors and formal or

informal arrangements among relatives in their own homes, provided the relative is limited to any of the following degrees of kinship by blood or marriage to the child being cared for or to the child's parent: child, grandchild, sibling, niece, nephew, aunt, uncle, or child of one's aunt or uncle;

5. supplementary child care operations for educational or recreational purposes where the child receives the care infrequently and the parents are on the premises;
6. supplementary child care operations in retail businesses where the parents remain in the same store as the child for shopping, provided the drop-in supplementary child-care operation does not charge a fee or refer to itself as a child care center;
7. programs administered by a nationally chartered boys' and girls' club that are exclusively for school-age children;
8. religious educational activities administered by religious institutions exclusively for children whose parents or legal guardians are institution members; and
9. programs administered by organizations under contract with the Department of Social Services that promote teenage pregnancy reduction through services to persons age 10 through 19.

§ 5 — MEMBERSHIP OF THE HOME VISITATION PROGRAM CONSORTIUM

The bill expands the maximum number of members of the Home Visitation Program Consortium from 25 to 28. It adds (1) the state maternal, infant early childhood home visiting program director (or designee) and (2) up to two more members who represent home visitation programs in the state.

§ 6 — MEMBERSHIP OF LOCAL SCHOOL READINESS COUNCILS

The bill expands the required members of local school readiness

councils to include the local homeless education liaison designated by the local or regional board of education under the federal McKinney-Vento Homeless Assistance Act. School districts must form local councils to apply for and receive school readiness funding from the state.

§ 7 — COMMISSIONER'S AUTHORITY TO ENTER INTO LICENSING ENFORCEMENT AGREEMENTS

The bill authorizes the commissioner to enter into enforcement agreements for child care and youth camp services licensing enforcement matters. It authorizes her to enter into stipulations, agreements, memoranda of understanding, interim consent orders, or consent orders with any person, group, or entity that does or is the following:

1. maintains, or applies for, a license for a child care center or group or family child care home;
2. establishes, conducts, or maintains a licensed youth camp or applies for a license;
3. acts or seeks to act as an assistant or substitute staff member in a family child care home;
4. is the subject of an investigation or disciplinary action pursuant to various child care and youth camp laws while holding an OEC-issued license; or
5. is a party in a contested case in which OEC is also a party.

§§ 8 & 9 — REPEAL OF OBSOLETE CHILD CARE FACILITIES GRANT PROGRAM

The bill repeals (1) an obsolete child care facilities development and construction grant for municipalities and state agencies and (2) related regulatory authority.

BACKGROUND

Legislative History

The House referred the bill (File 339) to the Appropriations Committee, which reported out a substitute that eliminates the prior bill's provisions that (1) raised the Care 4 Kids child care subsidy family eligibility income cap under the commissioner's discretionary authority and (2) require criminal history checks for certain OEC employees.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 26 Nay 5 (03/14/2016)

Appropriations Committee

Joint Favorable Substitute

Yea 54 Nay 0 (04/14/2016)